

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

JOHN F.,)
)
Plaintiff,)
)
)
v.) 1:20-cv-00464-JDL
)
)
KILOLO KIJAKAZI, Acting)
Commissioner of Social Security,)
)
)
Defendant.)

**ORDER ACCEPTING THE REPORT AND RECOMMENDED DECISION OF
THE MAGISTRATE JUDGE**

John F. seeks judicial review (ECF No. 1) of the Social Security Administration Commissioner's final decision (ECF No. 19-2 at 8-27) determining that he is not disabled and denying his application for disability insurance benefits and supplemental security income benefits under the Social Security Act. Pursuant to 28 U.S.C.A. § 636(b)(3) (West 2022) and D. Me. Local R. 16.3(a)(2), United States Magistrate Judge John C. Nivison held a hearing on Plaintiff's Statement of Errors (ECF No. 23) on March 14, 2022. The Magistrate Judge filed his Report and Recommended Decision (ECF No. 30) with the Court on April 26, 2022, recommending that the Court vacate the Commissioner's decision. The time within which to file objections has expired, and no objections have been filed. The Magistrate Judge notified the parties that failure to object would waive their right to de novo review and appeal.

Having reviewed and considered the Magistrate Judge's Report and Recommended Decision, I concur with the Magistrate Judge's conclusions as set forth

in his Report and Recommended Decision. It is therefore **ORDERED** that the Report and Recommended Decision (ECF No. 30) of the Magistrate Judge is hereby **ACCEPTED**, the Commissioner's decision is **VACATED**, and the matter is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C.A. § 405(g) (West 2022) for further administrative action consistent with this opinion.

SO ORDERED.

Dated this 9th day of August, 2022.

/s/ Jon D. Levy
CHIEF U.S. DISTRICT JUDGE